

1 AN ACT relating to the Public Service Commission.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 278 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) The commission shall have continuing supervisory control over matters
6 considered under this chapter consistent with its jurisdiction and so far as
7 necessary to protect and promote the public interest.

8 (2) The commission shall reconsider a previously issued order if:

9 (a) The commission's order relates to a multistate transaction that involves a
10 public utility commission in another state jurisdiction; and

11 (b) The out-of-state public utility commission fails to approve the transaction or
12 utility plan, makes a determination that is inconsistent with the Kentucky
13 commission's order, or imposes any new conditions that are materially
14 different than those imposed by the Kentucky commission's order.

15 (3) In reviewing the order and any out-of-state orders, the commission shall
16 determine whether its order is still in the public interest of Kentucky ratepayers.

17 In making the determination, the commission shall consider the following:

18 (a) Whether Kentucky ratepayers would be provided with the same level of
19 benefits resulting from the transaction as provided to the ratepayers of the
20 other state jurisdiction;

21 (b) Whether the other state commission's order will result in detriment to
22 Kentucky ratepayers; and

23 (c) Whether the actual results of the transaction, after the order by the other
24 state commission, have made the transaction unreasonable, unlawful, or
25 unjust, including but not limited to whether the transaction has an adverse
26 economic impact on the citizens of the Commonwealth.

27 (4) The commission shall issue new findings of fact and change, modify, vacate, or

1 *affirm its former order within ninety (90) days of the effective date of this Act or*
2 *of the out-of-state public utility commission's order.*

3 ➔Section 2. Section 1 of this Act shall apply retroactively to all Public Service
4 Commission orders issued on or after July 1, 2013.